

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LAWRENCE DAVIS,

Plaintiff,

NO. CV-06-3018-CI

vs.

IVA KELLY CHERRY and CITY OF
RENTON,

REPORT AND RECOMMENDATION TO
TRANSFER ACTION TO WESTERN
DISTRICT OF WASHINGTON

Defendants.

It appears Mr. Davis's claim arose in the Western District, in Renton, Washington. Therefore, **IT IS RECOMMENDED** this case be transferred to the United States Court for the Western District of Washington pursuant to 28 U.S.C. § 1391 and 28 U.S.C. § 1406.

OBJECTIONS

Any party may object to a magistrate judge's proposed findings, recommendations or report within ten (10) days following service with a copy thereof. Such party shall file with the District Court Executive all written objections, specifically identifying the portions to which objection is being made, and the basis therefor. Attention is directed to Fed. R. Civ. P. 6(e), which adds another three (3) days from the date of mailing if service is by mail.

A district judge will make a *de novo* determination of those

1 portions to which objection is made and may accept, reject, or modify
2 the magistrate judge's determination. The district judge need not
3 conduct a new hearing or hear arguments and may consider the
4 magistrate judge's record and make an independent determination
5 thereon. The district judge may also receive further evidence or
6 recommit the matter to the magistrate judge with instructions. See 28
7 U.S.C. § 636(b)(1)(B) and (C), Fed. R. Civ. P. 73, and LMR 4, Local
8 Rules for the Eastern District of Washington. A magistrate judge's
9 recommendation cannot be appealed to a court of appeals; only the
10 district judge's order or judgment can be appealed.

11 The District Court Executive shall enter this Report and
12 Recommendation, forward a copy to Plaintiff, and set a case management
13 deadline accordingly.

14 DATED May 16, 2006.

15
16

S/ CYNTHIA IMBROGNO
17 UNITED STATES MAGISTRATE JUDGE
18
19
20
21
22
23
24
25
26
27